

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PRECIOUS ROBERT JOHNSON,

Plaintiff,

No. 17-10321

v.

District Judge Sean F. Cox
Magistrate Judge R. Steven Whalen

HARLEYSVILLE LIFE INSURANCE
CO.,

Defendant.

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ORDER

For the reasons and under the terms stated on the record on December 20, 2017, Plaintiff's Statement of Procedural Challenge in ERISA case and Request for Limited Discovery [Doc. #13] is GRANTED IN PART AND DENIED IN PART.

Relative to Plaintiff's claim of bias of University Disability Consortium ("UDC") and Dr. Neil Small, Plaintiff may submit interrogatories to Defendant regarding the number of times that Defendant received a medical review of a long-term disability claim from Dr. Small of the University Disability Consortium and the number of times that he found the claimant to be disabled, from calendar year 2012 to the present.

Relative to the question of whether the disability policy at issue was renewed, amended, revised, etc. after June 1, 2007, Plaintiff may submit written interrogatories to Defendant, to be answered under oath.

Plaintiff will serve interrogatories within 7 days of the date of this Order.

Defendant will respond to the interrogatories within 21 days after service.

In all other respects, Plaintiff's motion is DENIED.

IT IS SO ORDERED.

Dated: December 27, 2017

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE
JUDGE

CERTIFICATE OF SERVICE

I hereby certify on December 27, 2017 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to non-registered ECF participants on December 27, 2017.

s/Carolyn M. Ciesla
Case Manager for the
Honorable R. Steven Whalen